

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Michael D. Gonzales	CHRB-004-0009	112 Sam Street, Sante Fe NM 87501
Grace G. Valdez	CHRB-006-0008	PO Box 826, Alcalde NM 87511
Frank J. Archuleta	CHRB-007-0014	PO Box 181, Tierra Amarilla NM 87575
Josephine Hays	CHRB-007-0014	1400 W. Marine Dr. #65, Astoria OR 97103

Dorothy Lemos	CHRB-007-0014	c/o Frank J. Archuleta, PO Box 181 Tierra Amarilla NM 87575
Priscilla Martinez	CHRB-007-0014	1312 North 1300 West, Salt Lake City, Utah 84116
Lorraine E. Martinez	CHRB-007-0014	Mineral Hill Rt. Box 190, Las Vegas NM 87701
Juanita Archuleta	CHRB-007-0014	c/o Frank J. Archuleta, PO Box 181 Tierra Amarilla NM 87575
Lawrence Archuleta	CHRB-007-0014	c/o Frank J. Archuleta, PO Box 181 Tierra Amarilla NM 87575
Sammy Archuleta	CHRB-007-0014	PO Box 42, Los Ojos NM 87551
Theresa Galdean	CHRB-007-0014	c/o Frank J. Archuleta, PO Box 181 Tierra Amarilla NM 87575
Jack Cowan	CHRU-001-0019A CHRU-001-0019B	HC 75 Box 66, Los Ojos NM 87551
Dustin Boyd	CHCV-003-0002B	PO Box 242, Chama NM 87520
Lance Leyba	CHCV-006-0004	HC 75 Box 50, Chama NM 87520

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

DATED: June 1, 2004.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion to Join Additional Parties Defendant were mailed to following persons on June 3, 2004.

/s/ Ed Newville

Edward G. Newville

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